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October 26, 2011

Via ECF and Overnight Mail

United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722

Attn: Hon. Leonard D. Wexler
United States Senior District Judge

Re: J. Barrows, Inc. v. Uvino, et al.
Docket No.: 09-CV-03905

Dear Judge Wexler:

The firm of O'Connor Redd LLP has been defending J. Barrows, Inc. (hereinafter "JBI") on the Uvinos' counterclaim since March, 2009. At all times, O'Connor Redd LLP has zealously represented JBI on each and every allegation levied.

In March 2009, when the defense of JBI was assumed by O'Connor Redd LLP it was Mr. Platek himself who was assigned the daily handling of the file. In fact, though his memory may now be conveniently faulty¹, Mr Platek was aware of and referenced that same original 2008 reservation of rights letter in multiple conversations with other attorneys during his tenure at O'Connor Redd LLP. Yet, despite his awareness of that same reservation of rights, he never once questioned the firm's ability to zealously represent JBI's interests or suggested there was in any respect any conflict whatsoever. That purported "conflict" has suddenly arisen, it seems, solely because Mr. Platek is no longer here. The fact is that O'Connor Redd always has and – so long as permitted – always will represent JBI's interests in this matter with as much undivided loyalty and zeal as the law permits – whoever the handling attorney may be.

¹ Mr. Platek's in his October 25, 2011 letter to this Court states that "It was not until the latter Reservation of Rights letter was sent in September of this year that I became aware that Harleysville was defending JBI under a reservation." I can only presume from this misrepresentation that Mr. Platek had a memory lapse on this point.

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O'Connor Redd LLP is well aware of its ethical obligations in this case, and of the undivided loyalty that it owes to its client JBI. O'Connor Redd LLP has not and will not compromise JBI's position in any manner whatsoever, and stands ready to defend JBI against all the claims levied by the Uvinos on their counterclaim.

I would concur with all counsel that the issue of representation must be resolved by this Court before the matter can be tried.

I thank you in advance for your attention to this matter.

Respectfully submitted,

O'CONNOR REDD LLP



Joseph T. Redd

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cc: All parties
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